

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 4, 1999 at 7:00
A.M., in Room 312 - 2 Capitol.

ROLL CALL

Members Present:

Rep. Tom Zook, Chairman (R)
Rep. Joe Quilici, Vice Chairman (D)
Rep. Steve Vick, Vice Chairman (R)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)
Rep. Peggy Bergsagel (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. John Cobb (R)
Rep. Stan Fisher (R)
Rep. Dick Haines (R)
Rep. Royal Johnson (R)
Rep. Betty Lou Kasten (R)
Rep. Matt McCann (D)
Rep. Red Menahan (D)
Rep. Ray Peck (D)
Rep. Lila Taylor (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Joanne Gunderson, Committee Secretary
Taryn Purdy, Legislative Fiscal Division
Clayton Schenck, Legislative Fiscal Division

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 2, 2/22/1999
Executive Action: HB 2

Comment

Each day of the four days of hearings on HB 2 are treated individually in terms of Tape Numbers, Exhibits, Roll Call Votes and Executive Action. However, the meetings were recessed and final adjournment is recorded on the last day (3/5/99).

HEARING ON SECTION A OF HB 2 CONTINUEDInformational Testimony:

Rep. Lila Taylor continued discussion on Section A of HB 2.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 50}

Motion/Vote: REP. BARNHART moved that HB 2 BE AMENDED according to item 1 on Exhibit 1. Motion carried unanimous **EXHIBIT** (aph49a01)

{Tape : 1; Side : A; Approx. Time Counter : 50 - 62}

Motion: REP. BARNHART moved that HB 2 BE AMENDED **EXHIBIT** (aph49a02)

{Tape : 1; Side : A; Approx. Time Counter : 62 - 79}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 79 - 133}

Vote: Motion carried 13-4 with Fisher, Johnson, Quilici, and Taylor voting no (Rep. Buzzas was absent).

{Tape : 1; Side : A; Approx. Time Counter : 133 - 150}

Motion/Vote: REP. VICK moved that HB 2 BE AMENDED by making federal funds apply one time only. Motion carried 16-1 with Quilici voting no.

{Tape : 1; Side : A; Approx. Time Counter : 150 - 160}

Motion/Vote: REP. P. BERGSAGEL moved TO REMOVE THE ADDITIONAL ANNUAL \$2,000 FOR SUPREME COURT TRAVEL. Motion carried 16-1 with Quilici voting no.

{Tape : 1; Side : A; Approx. Time Counter : 160 - 187}

Informational Testimony:

Rep. Taylor opened discussion on subsection 22.

{Tape : 1; Side : A; Approx. Time Counter : 187 - 200}

Motion: REP. PECK moved that HB 2 BE AMENDED. **EXHIBIT** (aph49a03)

{Tape : 1; Side : A; Approx. Time Counter : 200 - 205}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 205 - 224}

Vote: Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 224 - 231}

Informational Testimony:

Rep. Taylor opened discussion on subsection 24.

{Tape : 1; Side : A; Approx. Time Counter : 231 - 243}

Motion: REP. QUILICI moved that HB 2 BE AMENDED **EXHIBIT** (aph49a04)

{Tape : 1; Side : A; Approx. Time Counter : 243 - 288}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 288 - 489}

Vote: Motion carried 12-6 with Barnhart, P. Bergsagel, E.

Bergsagel, Kasten, Vick, and Witt voting no.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 21}

Motion: REP. QUILICI moved that HB 2 BE AMENDED **EXHIBIT** (aph49a05)

{Tape : 1; Side : B; Approx. Time Counter : 21 - 41}

Discussion:

{Tape : 1; Side : B; Approx. Time Counter : 41 - 90}

Vote: Motion failed 7-11 by Roll Call Vote (#1).

{Tape : 1; Side : B; Approx. Time Counter : 90 - 100}

Informational Testimony:

Rep. Taylor opened discussion on subsection 26 through 35.

{Tape : 1; Side : B; Approx. Time Counter : 100 - 130}

Questions and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 130 - 159}

Informational Testimony:

Rep. Taylor opened discussion on subsection 38.

{Tape : 1; Side : B; Approx. Time Counter : 159 - 186}

Questions and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 186 - 199}

Informational Testimony:

Rep. Taylor opened discussion on subsection 41.

{Tape : 1; Side : B; Approx. Time Counter : 199 - 230}

Questions and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 230 - Tape : 2; Side : A; Approx. Time Counter : 194}

Motion/Vote: REP. JOHNSON moved TO ELIMINATE DP8 IN SUBSECTION A-44. Motion carried 17-1 with Cobb voting no.

{Tape : 2; Side : A; Approx. Time Counter : 194 - 210}

Informational Testimony:

Rep. Taylor opened discussion on subsection 47.

{Tape : 2; Side : A; Approx. Time Counter : 210 - 253}

Questions and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 253 - 443}

Informational Testimony:

Rep. Taylor opened discussion on subsections 51 - 56.

{Tape : 2; Side : A; Approx. Time Counter : 443 - 490}

Questions and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 0 - ~~EXHIBIT~~ (aph49a06)}

Motion/Vote: REP. TAYLOR moved that HB 2 BE AMENDED. Motion carried 15-1 with Haines voting no. ~~EXHIBIT~~ (aph49a07)

{Tape : 2; Side : B; Approx. Time Counter : 329 - 402}

Questions and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 402 - 460}

Informational Testimony:

Rep. Taylor continued discussion on subsection 54 and opened discussion on subsection 59.

{Tape : 2; Side : B; Approx. Time Counter : 460 - Tape : 3; Side : A; Approx. Time Counter : 178}

Questions and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 78 - 331}

Informational Testimony:

Rep. Taylor opened discussion on subsection 61.

{Tape : 3; Side : A; Approx. Time Counter : 331 - 354}

Questions and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 354 - Side : B; Approx. Time Counter : 127}

Informational Testimony:

Rep. Taylor opened discussion on subsection 67.

{Tape : 3; Side : B; Approx. Time Counter : 127 - 137}

Questions and Responses:

{Tape : 3; Side : B; Approx. Time Counter : 137 - 228}

Informational Testimony:

Rep. Taylor opened discussion on subsection 69.

{Tape : 3; Side : B; Approx. Time Counter : 228 - 254}

Questions and Responses:

{Tape : 3; Side : B; Approx. Time Counter : 254 - 491}

Discussion:

Rep. P. Bergsagel proposed a conceptual amendment and discussion followed.

{Tape : 4; Side : A; Approx. Time Counter : 0 - 247}

Motion: REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a08)

{Tape : 4; Side : A; Approx. Time Counter : 247 - 292}

Discussion:

{Tape : 4; Side : A; Approx. Time Counter : 292 - 480}

Vote: Motion failed 10-8 by Roll Call Vote (#2).

{Tape : 4; Side : B; Approx. Time Counter : 0 - 22}

Discussion:

{Tape : 4; Side : B; Approx. Time Counter : 22 - 46}

Informational Testimony:

Rep. Taylor opened discussion on subsections 72 - 83.

{Tape : 4; Side : B; Approx. Time Counter : 46 - 53}

Questions and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 53 - Tape : 5; Side : A; Approx. Time Counter : 136} **EXHIBIT**(aph49a09)

Motion: REP. TAYLOR moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a10)

{Tape : 5; Side : A; Approx. Time Counter : 136 - 202}

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 202 - Side : B; Approx. Time Counter : 38}

Vote: Motion failed by voice vote.

{Tape : 5; Side : B; Approx. Time Counter : 38 - 45}

Motion: REP. TAYLOR moved TO AMEND HB 2 by ELIMINATING POSITION 10 IN PROGRAM 3.

{Tape : 5; Side : B; Approx. Time Counter : 45 - 51}

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 51 - 72}

Vote: Motion carried unanimously.

{Tape : 5; Side : B; Approx. Time Counter : 72 - 80}

Informational Testimony:

Rep. Taylor opened discussion on subsections 84 and 102.

{Tape : 5; Side : B; Approx. Time Counter : 80 - 156}

Questions and Responses:

{Tape : 5; Side : B; Approx. Time Counter : 156 - Tape : 6; Side : B; Approx. Time Counter : 33; Comments : subsections 167 and 169 , Exhibit 9 and MTPRRIME were discussed and questions and answers pertaining to these subsections were included in this portion of the tapes.}

Motion: REP. JOHNSON moved that HB 2 BE AMENDED ~~EXHIBIT~~ (aph49a11)

{Tape : 6; Side : B; Approx. Time Counter : 33 - 60}

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 60 - 79}

Vote: Motion failed 5-13 with Buzzas, Johnson, Menahan, Peck, and Tropila voting aye.

{Tape : 6; Side : B; Approx. Time Counter : 79 - 115}

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 115 - 154; Comments : Subsections 93 and 110 were discussed.}

Motion: REP. P. BERGSAGEL moved that HB 2 BE AMENDED ~~EXHIBIT~~ (aph49a12)

{Tape : 6; Side : B; Approx. Time Counter : 154 - 180}

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 180 - 240}

Vote: Motion carried 11-7 by Roll Call Vote (#3).

{Tape : 6; Side : B; Approx. Time Counter : 240 - 266}

Motion/Vote: REP. TAYLOR moved to amend HB 2 to INSERT "DEPARTMENT WILL PROVIDE NOTIFICATION BY NOVEMBER 1 OF EACH FISCAL YEAR." Motion carried unanimously.

{Tape : 6; Side : B; Approx. Time Counter : 266 - 288}

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 288 - 309; Comments : Comments regarding the quality of chairmanship were made by Peck and Quilici.}

Motion/Vote: REP. TAYLOR moved TO CLOSE SECTION A. Motion carried 15-3 with E. Bergsagel, Cobb, and McCann voting no.
{Tape : 6; Side : B; Approx. Time Counter : 309 - 329}

HEARING ON HB 2, SECTION C

Informational Testimony:

Rep. John Witt opened discussion on Section C of HB 2 and gave an overview of subsections 1 through 25.

{Tape : 6; Side : B; Approx. Time Counter : 329 - 475}

Questions and Responses:

{Tape : 6; Side : B; Approx. Time Counter : 475 - Tape : 7; Side : A; Approx. Time Counter : 15; Comments : Re: subsection 5.}

Questions and Responses:

{Tape : 7; Side : A; Approx. Time Counter : 15 - 80; Comments : Re: subsection 6.}

Questions and Responses:

{Tape : 7; Side : A; Approx. Time Counter : 80 - 150; Comments : Re: subsection 7.}

Questions and Responses:

{Tape : 7; Side : A; Approx. Time Counter : 150 - Side : B; Approx. Time Counter : 11; Comments : Re: subsections 8 - 15.}

Questions and Responses:

{Tape : 7; Side : B; Approx. Time Counter : 11 - 94; Comments : Re: subsection 16.}

Questions and Responses:

{Tape : 7; Side : B; Approx. Time Counter : 94 - 255; Comments : Re: subsections 19 - 25.}

Informational Testimony:

Rep. Witt opened discussion on subsections 26 through 37.

{Tape : 7; Side : B; Approx. Time Counter : 255 - 317}

Questions and Responses:

{Tape : 7; Side : B; Approx. Time Counter : 317 - 355; Comments : Re: subsection 27.}

Questions and Responses:

{Tape : 7; Side : B; Approx. Time Counter : 355 - 453; Comments :
Re: subsection 29.}

Questions and Responses:

{Tape : 7; Side : B; Approx. Time Counter : 453 - 490; Comments :
Re: subsection 35.}

Questions and Responses:

{Tape : 8; Side : A; Approx. Time Counter : 0 - 19; Comments :
Re: subsection 31.}

Questions and Responses:

{Tape : 8; Side : A; Approx. Time Counter : 19 - 128; Comments :
Re: subsections 33 and 37.}

Motion: REP. TROPILA moved that HB 2 BE AMENDED **EXHIBIT** (aph49a13)

{Tape : 8; Side : A; Approx. Time Counter : 128 - 140}

Discussion:

{Tape : 8; Side : A; Approx. Time Counter : 140 - 200}

Vote: Motion carried 10-8 with E. Bergsagel, P. Bergsagel, Haines, Kasten, McCann, Taylor, Vick, and Witt voting no.

{Tape : 8; Side : A; Approx. Time Counter : 200 - 209; Comments :
Discussion followed on subsections 40 and 29.}

Motion: REP. COBB moved that HB 2 BE AMENDED to strike lines 17 and 18 in subsection C-4.

{Tape : 8; Side : A; Approx. Time Counter : 209 - 253}

Discussion:

{Tape : 8; Side : A; Approx. Time Counter : 253 - 290}

Vote: Motion carried 16-2 by Roll Call Vote (#4).

{Tape : 8; Side : A; Approx. Time Counter : 290 - 320}

Informational Testimony:

Rep. Witt opened discussion on subsection 45.

{Tape : 8; Side : A; Approx. Time Counter : 320 - 354}

Questions and Responses:

{Tape : 8; Side : A; Approx. Time Counter : 354 - 421}

Informational Testimony:

Rep. Witt opened discussion on subsection 47.

{Tape : 8; Side : A; Approx. Time Counter : 421 - 450}

Questions and Testimony:

{Tape : 8; Side : A; Approx. Time Counter : 450 - Side : B; 36}

Motion: REP. WITT moved that SUBSECTION 48 BE AMENDED TO STRIKE DP3.

{Tape : 8; Side : B; Approx. Time Counter : 36 - 50}

Discussion:

{Tape : 8; Side : B; Approx. Time Counter : 50 - 76}

Vote: Motion failed 6-12 with P. Bergsagel, Buzzas, Cobb, Fisher, McCann, and Quilici voting aye.

{Tape : 8; Side : B; Approx. Time Counter : 76 - 80}

Questions and Responses:

{Tape : 8; Side : B; Approx. Time Counter : 80 - 336; Comments :
Re: subsections 52 and 56 with proposed amendments by P. Bergsagel and typographical changes noted by Kasten.}

Motion: REP. BERGSAGEL moved that HB 2 BE AMENDED ~~EXHIBIT~~ (aph49a14)

{Tape : 8; Side : B; Approx. Time Counter : 336 - 358}

Discussion:

{Tape : 8; Side : B; Approx. Time Counter : 358 - 403}

Vote: Motion failed 8-10 by Roll Call Vote (#5).

Motion/Vote: REP. COBB moved to REVISE AN EARLIER AMENDMENT TAKING \$250,000 OUT OF GENERAL FUND. Motion carried unanimously.

{Tape : 9; Side : A; Approx. Time Counter : 12 - 27}

Informational Testimony:

Rep. Witt opened discussion on subsections 60 and 61.

{Tape : 9; Side : A; Approx. Time Counter : 27 - 80}

Questions and Responses:

{Tape : 9; Side : A; Approx. Time Counter : 80 - 112}

Informational Testimony:

Rep. Witt opened discussion on subsection 63.

{Tape : 9; Side : A; Approx. Time Counter : 112 - 140}

Questions and Responses:

{Tape : 9; Side : A; Approx. Time Counter : 140 - 225}

Informational Testimony:

Rep. Witt opened discussion on subsection 74 through 82.

{Tape : 9; Side : A; Approx. Time Counter : 225 - 265}

Questions and Responses:

{Tape : 9; Side : A; Approx. Time Counter : 265 - 424}

Motion: REP. WITT moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a15)

{Tape : 9; Side : A; Approx. Time Counter : 424 - 484}

Discussion:

{Tape : 9; Side : A; Approx. Time Counter : 484 - Side : B;
Approx. Time Counter : 182}

Substitute Motion/Vote: REP. KASTEN made a substitute motion TO LEAVE IN FIRE PREVENTION FUNDS, BUT REMOVE \$87,000 GENERAL FUND. Substitute motion carried unanimously.

{Tape : 9; Side : B; Approx. Time Counter : 182 - 195}

Motion: REP. WITT moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a16)

{Tape : 9; Side : B; Approx. Time Counter : 195 - 220}

Discussion:

{Tape : 9; Side : B; Approx. Time Counter : 220 - 300}

Vote: Motion failed 9-9 by Roll Call Vote (#6).

{Tape : 9; Side : B; Approx. Time Counter : 300 - 327}

Motion: REP. WITT moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a17)

{Tape : 9; Side : B; Approx. Time Counter : 327 - 329}

Discussion:

{Tape : 9; Side : B; Approx. Time Counter : 329 - 380}

Vote: Motion carried 11-7 by Roll Call Vote (#7).

{Tape : 9; Side : B; Approx. Time Counter : 380 - 390}

Motion: REP. WITT moved that HB 2 BE AMENDED. **EXHIBIT**(aph49a18)

{Tape : 9; Side : B; Approx. Time Counter : 390 - 415}

Discussion:

{Tape : 9; Side : B; Approx. Time Counter : 415 - Tape : 10; Side : A; Approx. Time Counter : 80}

Vote: Motion failed 3-15 with P. Bergsagel, Kasten, and Vick voting aye.

{Tape : 10; Side : A; Approx. Time Counter : 80 - 89}

Motion/Vote: REP. WITT moved that HB 2 BE AMENDED. Motion carried 12-6 by Roll Call Vote (#8). EXHIBIT(aph49a19)
{Tape : 10; Side : A; Approx. Time Counter : 89 - 96}

Motion: REP. WITT moved that HB 2 BE AMENDED. EXHIBIT(aph49a20)
{Tape : 10; Side : A; Approx. Time Counter : 96 - 138}

Discussion:

{Tape : 10; Side : A; Approx. Time Counter : 138 - 200}

Vote: Motion carried 10-8 by Roll Call Vote (#9).
{Tape : 10; Side : A; Approx. Time Counter : 200 - 213}

Motion: REP. WITT moved that HB 2 BE AMENDED. EXHIBIT(aph49a21)
{Tape : 10; Side : A; Approx. Time Counter : 213 - 220}

Discussion:

{Tape : 10; Side : A; Approx. Time Counter : 220 - Side : B;
Approx. Time Counter : 34}

Vote: Motion carried 10-8 by Roll Call Vote (#10).
{Tape : 10; Side : B; Approx. Time Counter : 34 - 38}

Motion/Vote: REP. WITT moved that HB 2 BE AMENDED. Motion carried 12-6 by Roll Call Vote (#11). EXHIBIT(aph49a22)
{Tape : 10; Side : B; Approx. Time Counter : 38 - 68}

Motion: REP. WITT moved that HB 2 BE AMENDED. EXHIBIT(aph49a23)
{Tape : 10; Side : B; Approx. Time Counter : 68 - 80}

Discussion:

{Tape : 10; Side : B; Approx. Time Counter : 80 - 100}

Vote: Motion carried 13-5 with Barnhart, Buzzas, Menahan, Tropila, and Zook voting no.
{Tape : 10; Side : B; Approx. Time Counter : 100 - 114}

Motion: REP. WITT moved that HB 2 BE AMENDED. EXHIBIT(aph49a24)
{Tape : 10; Side : B; Approx. Time Counter : 114 - 121}

Discussion:

{Tape : 10; Side : B; Approx. Time Counter : 121 - 220}

Vote: Motion failed 9-9 with Barnhart, Buzzas, Cobb, Haines, Johnson, Menahan, Quilici, Tropila, and Zook voting no.
{Tape : 10; Side : B; Approx. Time Counter : 220 - 230}

Motion: REP. WITT moved that HB 2 BE AMENDED. **EXHIBIT** (aph49a25)
{Tape : 10; Side : B; Approx. Time Counter : 230 - 235}

Discussion:

{Tape : 10; Side : B; Approx. Time Counter : 235 - 295}

Substitute Motion/Vote: REP. BARNHART made a substitute motion
TO REMOVE GENERAL FUND FROM AMENDMENT IN EXHIBIT 25.. Substitute
motion failed 7-11.

{Tape : 10; Side : B; Approx. Time Counter : 295 - 310; Comments
: The secretary was unable to get the names of those voting aye.}

Vote: Motion on the amendment, Exhibit 25, failed 6-12 by Roll
Call Vote (#12).

The committee recessed until 8 AM on 3/5/99.

ADJOURNMENT

Recessed at: 9:15 P.M.

REP. TOM ZOOK, Chairman

JOANNE GUNDERSON, Secretary

TZ/JG

EXHIBIT (aph49aad)